

29045. Animal feed. (F.D.C. No. 45656. S. No. 7-044 R.)

INFORMATION FILED: 8-15-61, N. Dist. N.Y., against Elmore Milling Co., Inc., Oneonta, N.Y.

SHIPPED: Between 10-13-59 and 4-13-60, from Oneonta, N.Y., to Fairfield, Vt.

LABEL IN PART: (Bag tag) "100 Lbs. Net Ingredients Wheat Standard Middlings, Corn Meal, Corn Bread Distillers Solubles, \* \* \* Analysis Min. Crude Protein 15% Min. Crude Fat 3½% Max. Crude Fiber 3% Manufactured by Elmore Milling Company, Inc. Oneonta, New York Elmore Hog Ration."

CHARGE: 402(a)(2)(A)—when shipped, the article contained an added deleterious substance, namely, arsanilic acid, which was unsafe within the meaning of 406 in that it was not required in the production of the food and could be avoided by good manufacturing practice.

The information alleged also that three other articles, namely, Elmore Chix-saver, Elmore Complete Market Egg Ration (active drug ingredient: arsanilic acid), and Elmore Complete Market Egg Ration (active drug ingredient: 3-nitro-4 hydroxyphenylarsonic acid), were adulterated or misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7168.

PLEA: Guilty.

DISPOSITION: 12-6-61. \$150 fine on the charge involving a food; \$750 total fine.

29046. Shelled feed corn. (F.D.C. No. 48632. S. Nos. 16-001/02 V.)

QUANTITY: 2,010 bushels, at Chrisman, Ill.

SHIPPED: Between 10-15-62 and 10-17-62, from Rockville, Ind., by Funk Bros. Seed Co.

RESULTS OF INVESTIGATION: Examination showed that 475 bushels of the article contained approximately 915 parts per million of captan, and 1,535 bushels of the article contained approximately 555 parts per million of captan. The article was coated with a red dye, and had been originally processed by the shipper for seed corn use. However, the article constituted surplus stocks and had been diverted to feed use, and failed to bear the shipper's customary tags for seed corn which read, "Do not use for Food, Feed or Oil purposes."

LIBELED: 2-12-63, E. Dist. Ill.

CHARGE: 402(a)(2)(B)—when shipped, the article contained a pesticide chemical, namely, captan, which was unsafe within the meaning of 408(a), since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on feed corn had been prescribed by regulations.

DISPOSITION: 3-8-63. Default—destruction.

## FISH AND SHELLFISH

29047. Frozen catfish. (F.D.C. No. 48767. S. Nos. 87-063/64 V.)

QUANTITY: 259 25-lb. cases, at Hot Springs, Ark.

SHIPPED: Between 1-15-63 and 2-28-63, from Rosedale, La., by J. F. Sexton & Sons Fish Co.

LABEL IN PART: (Ctn.) "SO. LA. FISH."

LIBELED: 5-7-63, W. Dist. Ark.